

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re)	
)	Chapter 7
M7D Corporation,)	
)	Case No. 23-11699 (TMH)
Debtor.)	
)	

Objection Deadline: December 22, 2023 at 4:00 p.m.
Hearing Date: January 3, 2024 at 2:00 p.m.

**APPLICATION OF CHAPTER 7 TRUSTEE TO RETAIN LAW OFFICE
OF SUSAN E. KAUFMAN, LLC AS GENERAL COUNSEL
EFFECTIVE AS OF OCTOBER 16, 2023**

Jeoffrey L. Burtch, Chapter 7 Trustee for the bankruptcy estate (the “Estate”) of M7D Corporation (the “Debtor”), moves to retain the Law Office of Susan E. Kaufman, LLC as general counsel effective as of October 16, 2023 (the “Application”), and in support of this Application respectfully represents that:

JURISDICTION

1. This Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief sought herein are Sections 327(a) and 328(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”) and Federal Rule of Bankruptcy Procedure (the “Bankruptcy Rules”) 2014.

3. Pursuant to Rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of this Court (the “Local Rules”), the Trustee consents to the entry of a final order with respect to this Application if it is determined that the Court lacks adjudicatory authority under Article III of the United States Constitution to enter such final order absent consent of the parties.

BACKGROUND

4. On October 11, 2023, the Debtor filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.¹

5. On October 16, 2023, Jeoffrey L. Burtch was appointed as interim trustee for the Debtor pursuant to Section 701 of the Bankruptcy Code and presently serves as the trustee (“Trustee”) pursuant to Section 702(d) of the Bankruptcy Code.

6. There have been many time sensitive and pressing matters requiring the immediate attention of the Trustee. In connection with these time-sensitive matters, the Trustee has required the advice of legal counsel.

RELIEF REQUESTED

7. The Trustee seeks to retain the Law Office of Susan E. Kaufman, LLC (“Kaufman”) as general counsel to represent him in this case.

8. The Trustee requested that Kaufman commence performing services on October 16, 2023 and is requesting that its employment be authorized as of that date.

9. The Trustee currently seeks to retain Kaufman for the following services:

- a) Advise and consult with the Trustee concerning questions arising in the conduct of the administration of the estate and concerning the Trustee’s rights and remedies with regard to the Estate’s assets and the claims of secured, priority and unsecured creditors and other parties in interest;
- b) To advise and consult with the Trustee concerning the sale or other disposition of any assets of the Estate;

¹ Debtor’s bankruptcy case was filed along with the cases of two non-operating affiliates, WD Diamonds Intermediate Holdings, Inc. 23-11700 (TMH) and WD Diamonds Holdings, Inc. 23-11701 (TMH).

- c) To advise and appear for, prosecute, defend and represent the Estate's interests in contested matters, adversary proceedings, and other actions arising in or related to this case;
- d) To investigate and pursue claims or causes of action for the benefit of the Estate;
- e) To assist in the preparation of such pleadings, agendas, motions, notices, and orders as are required for the orderly administration of the Estate; and
- f) To handle such other matters as the Trustee may require during the course of his administration of this case.

10. In accordance with Section 330(a) of the Bankruptcy Code, compensation will be payable to Kaufman on an hourly basis, plus reimbursement of actual and necessary expenses incurred. The normal hourly rates for professionals at Kaufman who will be utilized are set forth herein:

- a. \$500.00 - \$600.00 for attorneys
- b. \$275.00 for paraprofessionals

Kaufman will seek compensation based upon its normal hourly rates. The hourly rates stated are Kaufman's standard hourly rates for work of this nature and are subject to periodic adjustment.

11. The hourly rates listed above reflect Kaufman's standard hourly rates for work of this nature. These rates are set at a level designed to fairly compensate Kaufman for the work of its attorneys and paralegals and to cover fixed and routine overhead expenses. It is Kaufman's policy to charge its clients in all areas of practice for all other expenses incurred in connection with the client's case. The expenses charged to clients include, among other things, postage and express mail charges, special or hand delivery charges, filing fees and Pacer charges, document processing,

photocopying and imaging charges provided by Kaufman or outside copying services, travel expenses, computerized research, and transcription costs. Kaufman will charge the Trustee for these expenses in a manner and at rates consistent with charges made generally to Kaufman's other clients, and subject to any limitations imposed by the Local Rules and Orders of this Court. Kaufman believes it is more appropriate to charge these expenses to the clients incurring them than increase the hourly rates and spread the expenses among all clients.

12. Kaufman intends to apply to the Court for allowance of compensation and reimbursement of expenses in accordance with the Bankruptcy Code, the Bankruptcy Rules and the Local Rules.

13. To the best of the Trustee's knowledge, except as stated in the Declaration of Susan E. Kaufman filed with this Application, Kaufman has no interest adverse to the Debtor or the Estate in any of the matters upon which it is to be engaged, and its employment will be in the best interest of the Estate.

WHEREFORE, the Trustee requests that the Court enter the attached form of order employing Kaufman as general counsel effective as of October 16, 2023, and for such other and further relief as is just and proper.

LAW OFFICE OF SUSAN E. KAUFMAN, LLC

/s/ Susan E. Kaufman
Susan E. Kaufman, (DSB# 3381)
919 North Market Street, Suite 460
Wilmington, DE 19801
(302) 472-7420
(302) 792-7420 Fax
skaufman@skaufmanlaw.com

Proposed counsel to Jeoffrey L. Burtch, Chapter 7
Trustee

Dated: December 7, 2023